

# HB5305



## 95TH GENERAL ASSEMBLY

State of Illinois

2007 and 2008

HB5305

by Rep. Dan Brady

### SYNOPSIS AS INTRODUCED:

625 ILCS 5/6-110

from Ch. 95 1/2, par. 6-110

Amends the Illinois Vehicle Code. Makes a technical change in a Section concerning licenses.

LRB095 18297 LCT 44381 b

A BILL FOR

1 AN ACT concerning transportation.

2 **Be it enacted by the People of the State of Illinois,**  
3 **represented in the General Assembly:**

4 Section 5. The Illinois Vehicle Code is amended by changing  
5 Section 6-110 as follows:

6 (625 ILCS 5/6-110) (from Ch. 95 1/2, par. 6-110)

7 Sec. 6-110. Licenses issued to drivers.

8 (a) The ~~The~~ Secretary of State shall issue to every  
9 qualifying applicant a driver's license as applied for, which  
10 license shall bear a distinguishing number assigned to the  
11 licensee, the legal name, zip code, date of birth, residence  
12 address, and a brief description of the licensee, and a space  
13 where the licensee may write his usual signature.

14 Licenses issued shall also indicate the classification and  
15 the restrictions under Section 6-104 of this Code.

16 In lieu of the social security number, the Secretary may in  
17 his discretion substitute a federal tax number or other  
18 distinctive number.

19 A driver's license issued may, in the discretion of the  
20 Secretary, include a suitable photograph of a type prescribed  
21 by the Secretary.

22 (a-1) If the licensee is less than 18 years of age, unless  
23 one of the exceptions in subsection (a-2) apply, the license

1 shall, as a matter of law, be invalid for the operation of any  
2 motor vehicle during the following times:

3 (A) Between 11:00 p.m. Friday and 6:00 a.m. Saturday;

4 (B) Between 11:00 p.m. Saturday and 6:00 a.m. on  
5 Sunday; and

6 (C) Between 10:00 p.m. on Sunday to Thursday,  
7 inclusive, and 6:00 a.m. on the following day.

8 (a-2) The driver's license of a person under the age of 18  
9 shall not be invalid as described in subsection (a-1) of this  
10 Section if the licensee under the age of 18 was:

11 (1) accompanied by the licensee's parent or guardian or  
12 other person in custody or control of the minor;

13 (2) on an errand at the direction of the minor's parent  
14 or guardian, without any detour or stop;

15 (3) in a motor vehicle involved in interstate travel;

16 (4) going to or returning home from an employment  
17 activity, without any detour or stop;

18 (5) involved in an emergency;

19 (6) going to or returning home from, without any detour  
20 or stop, an official school, religious, or other  
21 recreational activity supervised by adults and sponsored  
22 by a government or governmental agency, a civic  
23 organization, or another similar entity that takes  
24 responsibility for the licensee, without any detour or  
25 stop;

26 (7) exercising First Amendment rights protected by the

1 United States Constitution, such as the free exercise of  
2 religion, freedom of speech, and the right of assembly; or

3 (8) married or had been married or is an emancipated  
4 minor under the Emancipation of Minors Act.

5 (a-3) If a graduated driver's license holder over the age  
6 of 18 committed an offense against traffic regulations  
7 governing the movement of vehicles or any violation of Section  
8 6-107 or Section 12-603.1 of this Code in the 6 months prior to  
9 the graduated driver's license holder's 18th birthday, and was  
10 subsequently convicted of the offense, the provisions of  
11 subsection (a-1) shall continue to apply until such time as a  
12 period of 6 consecutive months has elapsed without an  
13 additional violation and subsequent conviction of an offense  
14 against traffic regulations governing the movement of vehicles  
15 or Section 6-107 or Section 12-603.1 of this Code.

16 (b) Until the Secretary of State establishes a First Person  
17 Consent organ and tissue donor registry under Section 6-117 of  
18 this Code, the Secretary of State shall provide a format on the  
19 reverse of each driver's license issued which the licensee may  
20 use to execute a document of gift conforming to the provisions  
21 of the Illinois Anatomical Gift Act. The format shall allow the  
22 licensee to indicate the gift intended, whether specific  
23 organs, any organ, or the entire body, and shall accommodate  
24 the signatures of the donor and 2 witnesses. The Secretary  
25 shall also inform each applicant or licensee of this format,  
26 describe the procedure for its execution, and may offer the

1 necessary witnesses; provided that in so doing, the Secretary  
2 shall advise the applicant or licensee that he or she is under  
3 no compulsion to execute a document of gift. A brochure  
4 explaining this method of executing an anatomical gift document  
5 shall be given to each applicant or licensee. The brochure  
6 shall advise the applicant or licensee that he or she is under  
7 no compulsion to execute a document of gift, and that he or she  
8 may wish to consult with family, friends or clergy before doing  
9 so. The Secretary of State may undertake additional efforts,  
10 including education and awareness activities, to promote organ  
11 and tissue donation.

12 (c) The Secretary of State shall designate on each driver's  
13 license issued a space where the licensee may place a sticker  
14 or decal of the uniform size as the Secretary may specify,  
15 which sticker or decal may indicate in appropriate language  
16 that the owner of the license carries an Emergency Medical  
17 Information Card.

18 The sticker may be provided by any person, hospital,  
19 school, medical group, or association interested in assisting  
20 in implementing the Emergency Medical Information Card, but  
21 shall meet the specifications as the Secretary may by rule or  
22 regulation require.

23 (d) The Secretary of State shall designate on each driver's  
24 license issued a space where the licensee may indicate his  
25 blood type and RH factor.

26 (e) The Secretary of State shall provide that each original

1 or renewal driver's license issued to a licensee under 21 years  
2 of age shall be of a distinct nature from those driver's  
3 licenses issued to individuals 21 years of age and older. The  
4 color designated for driver's licenses for licensees under 21  
5 years of age shall be at the discretion of the Secretary of  
6 State.

7 (e-1) The Secretary shall provide that each driver's  
8 license issued to a person under the age of 21 displays the  
9 date upon which the person becomes 18 years of age and the date  
10 upon which the person becomes 21 years of age.

11 (f) The Secretary of State shall inform all Illinois  
12 licensed commercial motor vehicle operators of the  
13 requirements of the Uniform Commercial Driver License Act,  
14 Article V of this Chapter, and shall make provisions to insure  
15 that all drivers, seeking to obtain a commercial driver's  
16 license, be afforded an opportunity prior to April 1, 1992, to  
17 obtain the license. The Secretary is authorized to extend  
18 driver's license expiration dates, and assign specific times,  
19 dates and locations where these commercial driver's tests shall  
20 be conducted. Any applicant, regardless of the current  
21 expiration date of the applicant's driver's license, may be  
22 subject to any assignment by the Secretary. Failure to comply  
23 with the Secretary's assignment may result in the applicant's  
24 forfeiture of an opportunity to receive a commercial driver's  
25 license prior to April 1, 1992.

26 (g) The Secretary of State shall designate on a driver's

1 license issued, a space where the licensee may indicate that he  
2 or she has drafted a living will in accordance with the  
3 Illinois Living Will Act or a durable power of attorney for  
4 health care in accordance with the Illinois Power of Attorney  
5 Act.

6 (g-1) The Secretary of State, in his or her discretion, may  
7 designate on each driver's license issued a space where the  
8 licensee may place a sticker or decal, issued by the Secretary  
9 of State, of uniform size as the Secretary may specify, that  
10 shall indicate in appropriate language that the owner of the  
11 license has renewed his or her driver's license.

12 (h) A person who acts in good faith in accordance with the  
13 terms of this Section is not liable for damages in any civil  
14 action or subject to prosecution in any criminal proceeding for  
15 his or her act.

16 (Source: P.A. 94-75, eff. 1-1-06; 94-930, eff. 6-26-06; 95-310,  
17 eff. 1-1-08.)